

REMARKS

Amendments to the claims

Claims 1, 3-6, 8-20, and 22-31 are pending in the present application. With this response, Applicant cancels claims 1, 3-6, 8-11, 14-17, 19, 20, 22-27, and 29-31. All amendments are made herein without prejudice.

Claim Rejections – 35 USC § 102(e)

Claims 12 and 13

In the Office Action, the Examiner rejects claims 12 and 13 as being anticipated by U.S. Patent 6,928,457 to Jacobs et al. (hereafter “Jacobs”).

The Applicants had, in their previous response, already addressed the insufficiency of Jacobs as prior art anticipating these claims. However, the Examiner has not addressed the Applicants previous arguments (“Applicant’s arguments with respect to claims 1, 3-6, 8-20, and 22-31 have been considered but are moot in view of the new ground(s) of rejection.” page 13 of Office Action) despite the fact that Examiner’s rejection of claims 12 and 13 is essentially unchanged from the previous office action.

Therefore, the Applicants reiterate the following argument:

Applicants submit that amended claim 12 is not anticipated by Jacobs. Applicants note that the Examiner addresses the features of claim 12 in section 11 of the Action by making reference to i) a name tree (column 5, lines 7-10 of Jacobs), ii) a JNDI-compliant naming service/server 302 (column 14, lines 23-47 of Jacobs), iii) the presence of the term ‘duplicate’ (column 5, lines 7-10 of Jacobs), and iv) a replicated naming service/server 303 (column 14, lines 23-47).

Applicants respectfully disagree with the Examiner and note that amended claim 12 recites that “*the first and second servers compris[e] means to migrate a communication channel for carrying the request from the first server to the second server in the event of a fault associated with the first server.*” Where is this migration between servers shown in Jacobs? With reference to Figure 4 in Jacobs, although server 302 and server 303 are connected to a communication medium 301, where does Jacobs discuss that there is a migration of a communication channel between 302 and 303 or vice versa? When one of the two servers does not work, there is merely switching by the client (or the object server) to the other server, without any kind of migration occurring between those servers. For example, column 14 lines 31-33 of Jacobs address addition of an RA stud from servers to the provider and not between servers. “Switching” is simply changing from one server to another – establishing a new connection. “Migration” moves the communication channel seamlessly, so that parameters associated with the channel on the old server are transferred to the new server.

Moreover, amended claim 12 also recites that the servers are operated in “*active*” and “*stand-by*” modes. Where is this kind of operation shown in Jacobs?

In addition, Applicants have not been able to find where, in Jacobs, the feature “*the object server being arranged to supply the access data to the first object registry*” is disclosed and the Examiner mad no such showing in his rejection.

Therefore, amended claim 12 is novel over Jacobs, together with claim 13, at least by virtue of its dependence on claim 12. The Applicants respectfully request that the Examiner withdraw the rejections against claims 12 and 13.

Claims 18 and 28

In the Office Action, the Examiner rejects claims 18 and 28 as being anticipated by U.S. Pub. 2000/099970 to Zhao et al. (hereafter “Zhao”).

The Applicants had, in their previous response, already addressed the insufficiency of Zhao as prior art anticipating claim 18. However, the Examiner has not addressed the Applicants previous arguments ("Applicant's arguments with respect to claims 1, 3-6, 8-20, and 22-31 have been considered but are moot in view of the new ground(s) of rejection." page 13 of Office Action) despite the fact that Examiner's rejection of claims 12 and 13 is essentially unchanged from the previous office action.

Therefore, the Applicants reiterate the following argument:

Claim 18 recites that the intermediate registry comprises "*means to receive the access data from the object server.*"

Applicants submit that claim 18 is not anticipated by Zhao. Applicants note that the Examiner addresses claim 18 in section 17 of the Action by making reference to i) a binding...binding interceptor...bind method (page 3, paragraphs 0035/0036 of Zhao), ii) an alternative server (page 3, paragraphs 0035/0036 of Zhao), and iii) ...return...(page 3, paragraphs 0035/0036, Figures 5/6, page 3, paragraphs 0040/0041 of Zhao).

Applicants respectfully disagree with the Examiner and note that amended claim 18 recites three different entities associated with the claimed intermediate registry server: 1) an object server; 2) a first object registry and 3) a second object registry. To the contrary, even assuming, *arguendo*, that the 'bind interceptor' in Zhao is indeed an intermediate registry server (which is not, because Zhao clearly states that the 'bind interceptor' is a Java class, see line 10 of paragraph [0034] in Zhao), such interceptor is only associated to an object server and to an alternative object server, in stark contrast with claim 18 where association is with an object server, a first object registry and a second object registry as recited above.

The above argument also applies to the rejection of claim 28, as claim 28 also recites those three different entities associated with the claimed intermediate registry server.

Therefore, the Applicants respectfully request that the Examiner withdraw the rejections against claims 18 and 28.

Claim 19

In the Office Action, the Examiner rejects claim 19 as being anticipated by U.S. Patent 6,269,378 to Quirt (hereafter "Quirt").

Claim 19 has been cancelled, so the rejection against it is moot.

Claim Rejections – 35 USC § 103

In the Office Action, the Examiner rejects claims 1, 6, 9, 10, 14-17, 29, and 30 as being obvious over Jacobs in view of Quirt.

Claims 1, 6, 9, 10, 14-17, 29, and 30 have been cancelled, so the rejection is moot.

In the Office Action, the Examiner rejects claims 20-27 and 31 as being obvious over Zhao in view of Quirt.

Claims 20-27 and 31 have been cancelled, so the rejection is moot.

In the Office Action, the Examiner rejects claims 3-5, 8, and 11 as being obvious over Jacobs in view of Quirt and in further view of Zhao.

Claims 3-5, 8, and 11 have been cancelled, so the rejection is moot.

Finality of Office Action

The Applicants have cancelled the claims that required a new search. The remaining claim rejections have been previously argued against without a response from the Examiner ("Applicant's arguments with respect to claims 1, 3-6, 8-20, and 22-31 have been considered but

are moot in view of the new ground(s) of rejection" p. 13 of the Office Action) despite the fact that the Examiner has the same grounds for rejection as he did in the previous office action.

In light of the fact that the remaining claim rejections are based on the original search and the fact that the arguments made against those rejections have not yet been addressed by the Examiner, the Applicants respectfully request that the finality present Office Action be withdrawn, so that any response the Examiner may have to the arguments made may be addressed by the Applicants without penalty.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 08-2025. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 08-2025.

I hereby certify that this document is being transmitted to the United States Patent and Trademark Office via electronic filing on


Respectfully submitted,

August 13, 2007
(Date of Transmission)

Lucy Derby
(Name of Person Transmitting)


Signature

8-13-07
Date


Brian J. Cash
Attorney for Applicants
Reg. No. 60,546
LADAS & PARRY
5670 Wilshire Blvd., Suite 2100
Los Angeles, CA 90036
(323) 934-2300 voice
(323) 934-0202 fax
bcash@la.ladas.com